



2026:CGHC:18198



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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 2205 of 2026

Ashish Yadav @ Ashu Yadav S/o Dukalu Yadav Aged About 19 Years R/o-
Labhandi, Housing Board Colony, Raipur, District- Raipur (C.G.)

... Applicant

versus

State Of Chhattisgarh Through The Station House Officer, Police Station-
Devendra Nagar, District- Raipur (C.G.)

... Respondent

For Applicant : Shri Shivendu Pandya, Advocate.

For : Ms. Ankita Shukla, PL.

Respondent/State

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

21/04/2026

1. This is the first bail application filed under Section 483 of the Bharatiya
Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular
bail to the applicant who has been arrested in connection with Crime
No.173/2025 registered at Police Station Devendra Nagar, District -
Raipur (C.G.) for the offence punishable under Sections 331(4), 305 (a)
of B.N.S.



2. Case of the prosecution, in brief, is that the allegation against the present accused/applicant along with co-accused that on the date of incident i.e. between 23/08/2025 to 25/08/2025 at about mid night, the present accused/applicant along with co-accused committed the theft in the shop of the complainant namely Mahesh Gurnani. It is alleged that the present accused/applicant along with co-accused has stolen the cash amount and other articles amounting to Rs.1,33,000/- in the shop of the complainant. The police registered the offence punishable under section 331(4), 305 (a) of B.N.S.. against the present accused/applicant along with co-accused at crime No. 173/2025 regarding the theft of above said article. The Police has arrested the present accused/applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated, as the prosecution case is entirely fabricated and based on mere suspicion. It is contended that the FIR was initially registered against an unknown person and no recovery was made from the applicant's conscious or exclusive possession, nor is there any material to show his knowledge or involvement with the alleged stolen property. He would submit that the charge sheet has been filed in this case, the applicant is in jail since 03/09/2025 and conclusion of trial will take some time, therefore, he prays for grant of bail to the applicant.
4. On the other hand, learned State Counsel opposes the bail application and she would submit that charge sheet has been filed in this case before the competent court and the applicant has no criminal antecedents. She would submit that there is seizure of Rs.20,000/-



from the applicant, therefore he is not entitled for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, submission of learned counsel for the parties, materials available on record, nature of allegation levelled against the applicant, period of detention of the applicant since 03/09/2025, charge sheet has been filed, applicant has no criminal antecedents and also considering the fact that trial is likely to take some time for its conclusion, therefore this Court is of the view that the applicant is entitled to be released on bail in this case.
7. Accordingly, the bail application is allowed and it is directed that the Applicant- **Ashish Yadav @ Ashu Yadav**, involved in Crime No.173/2025 registered at Police Station Devendra Nagar, District - Raipur (C.G.) for the offence punishable under Sections 331(4), 305 (a) of B.N.S., be released on bail on his furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may



proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

8. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE